



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Jacob K. Javits Federal Building  
26 Federal Plaza, 37th Floor  
New York, New York 10278

September 27, 2024

**BY EMAIL AND USAfx**

The Honorable Analisa Torres  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Cholo Abdi Abdullah*, 20 Cr. 677 (AT)**

Dear Judge Torres:

The Government respectfully writes in response to the Court's email, dated September 26, 2024, directing the Government to provide copies of the Defendant Propaganda Materials and DusitD2 Materials referenced at pages 17-18 of the Government's motions *in limine*. The Government has provided the requested materials to the Court and to standby counsel via USAfx, and the Government will separately provide the materials to the defendant via U.S. mail.

As set forth in the Government's motions, the enclosed Defendant Propaganda Materials include al Shabaab propaganda and other al Shabaab-related online content that the defendant searched for and viewed online. These materials have been marked as GX 701 through 713.

The enclosed DusitD2 Materials, in turn, include limited evidence of al Shabaab's January 2019 attack on the DusitD2 hotel and office complex—which the defendant specifically researched online, and which the defendant's al Shabaab handler, CC-1, helped to orchestrate while simultaneously orchestrating the Aviation Plot with the defendant. The evidence at trial will further show CC-1 informed the defendant of the DusitD2 attack, and the involvement of the defendant's hometown friend with whom the defendant joined al Shabaab in 2015, shortly after the attack took place.

In particular, the DusitD2 Materials consist of (i) limited excerpts of an al Shabaab propaganda video published by al Shabaab's media wing following the attack, marked as GX 801<sup>1</sup>; and (ii) limited excerpts of video surveillance footage of the attack recovered by Kenyan authorities, marked as GX 802, which includes footage that the defendant appears to have researched and reviewed shortly after the attack.<sup>2</sup>

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<sup>1</sup> The Government intends to offer only the portions of GX 801 timestamped 0:00-2:08 and 5:15-7:37, marked as GX 801A and 801B, respectively.

<sup>2</sup> GX 802 represents only a limited portion of the available video surveillance footage of the attack, consisting of a short excerpt from only a single camera angle.

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As set forth in the Government's motions (*see* Dkt. 125 at 17-32), the Defendant Propaganda Materials and the DusitD2 Materials are admissible to demonstrate the defendant's knowledge and intent as he engaged in the instant offense conduct; because they are inextricably intertwined with the Government's other evidence; and to corroborate the Government's other evidence in the case.

As before, the Government is available to answer any additional questions that the Court may have.

Respectfully submitted,

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United States Attorney

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cc: Defendant (via U.S. Mail)  
Standby counsel (via email and USAfx)